

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

JOEL VANGHELUWE, ET AL.

PLAINTIFF,

V

Case No.: 2:18-cv-10542-LJM-EAS

Hon. Laurie J. Michelson

Mag. Elizabeth A Stafford

GOTNEWS, LLC., ET AL.

DEFENDANT,

**DEFENDANT RICHARD WEIKART'S REPLY TO DEFENDANTS RESPONSE TO
DEFENDANT RICHARD WEIKART'S MOTION TO DISMISS FED. R. CIV. P. 12(b)2**



CONTROLLING LEGAL AUTHORITIES

Alahverdian v. Nemelka, Case No. 3:15 CV-060,
2015 WL 5004886 (S.D. Ohio, Aug. 21, 2015).....3

Weather Underground, Inc. v. Navigation Catalyst Sys., Inc.,
688 F.Supp.2d 693, 700 (E.D. Mich. 2009).....3



I. The Court lacks personal Jurisdiction over Defendant.

Plaintiffs response fails to address the “something more” to demonstrate defendant directed his activity toward Michigan as stated by *Weather Underground, Inc. v. Navigation Catalyst Sys., Inc.*, 688 F.Supp.2d 693, 700 (E.D. Mich. 2009). Plaintiffs citation to *Alabverdian v. Nemelka*, Case No. 3:15 CV-060, 2015 WL 5004886 (S.D. Ohio, Aug. 21, 2015) exemplifies the difference between “something more” and Defendant’s conduct here. As quoted by Plaintiffs,

Similar to making phone calls or sending facsimiles, sending emails into the forum intended to harm a specific person located in that forum is sufficient to confer jurisdiction over a foreign defendant where the emails form the basis for the action. Id. at *7.

There is a difference between sending emails, facsimiles and phone calls and posting on twitter or other social media. There is a difference between engaging in a campaign to harass and embarrass someone and posting on twitter or other social media. Defendant’s conduct is akin to him shouting from the rooftop. His words are not directed at one but all. Following Plaintiffs analysis would lead this court to the conclusion that placing a statement on twitter or other social media subjects a person to jurisdiction *everywhere* the internet is present. As stated before du process demands more than everywhere.

Respectfully Submitted,

Dated: 7/20/2018

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CERTIFICATE OF SERVICE

I, John Evanchek, Esq. affirm that on July 20, 2018, I electronically filed this document upon the Clerk of the Court by using the Court's Electronic Filing System, which should send notification of said filing to all attorneys of record who are registered to receive such electronic service, and I hereby certify that I mailed by United States Postal Service the same to the following parties that do not receive electronic notice:

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Respectfully Submitted,

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